IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

SECOND APPEAL NO.1036 OF 2006

Sau Gangubai D. Dhagate ...Appellant

v/s

Shri Jaganath D. Dhagate ...Respondent

Mr Milind Deshmukh for Appellant.

None for Respondent.

CORAM : D.K. DESHMUKH J.

DATE : 13TH JULY 2007.

P.C. :-

1. Admittedly, the agreement was entered into in the year 1985. At that time, the entire land was acquired by the State Government. A part of the land was released from acquisition in the year 1994. Thus, on the date on which the agreement was entered into, the defendant was not owner of the land. That is one of the reasons given by the Appellate Court for not passing the decree of specific performance in favour of the defendant. I do not see any substantial question of law arises. Appeal is rejected.

. Parties to act on the copy of this order duly authenticated by the Sheristedar / Private Secretary as true copy.

. Certified copy expedited.